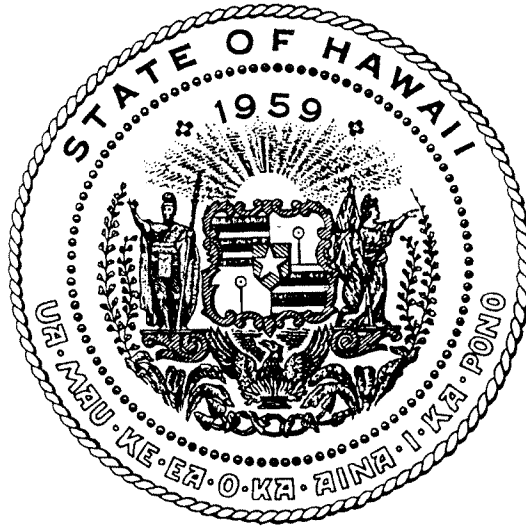


Hawaii Integrated Energy Policy (HEP)

Technical Report



Prepared for:

**Hawaii Department of Business, Economic Development & Tourism
Energy Division**

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APPENDIX THREE

SUMMARY OF MAJOR FEDERAL, STATE AND COUNTY PERMITS AND APPROVALS

Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
FEDERAL					
Army Corps of Engineers	Department of the Army Permit	Placing or removing any materials and structures in the water.	Navigable waters of the US, seaward of the high water level, rivers, streams, wetlands, and inland waters	33 USC 404, 134, and 1413	
	Dumping of dredged materials in open ocean		All Coastal States and Territories	PL 92-532	up to one year
Environmental Protection Agency	Dumping of Materials into the Ocean	Any activity that involves dumping materials into the ocean	All coastal States and Territories	PL 92-532	
	Approval to Construct (air pollution)		All States and Territories	PL35-95	
Federal Aviation Administration (FAA)	Notice to Alter Navigable Airspace	Projects that involve construction or other activity that may effect the safe and efficient use of airspace	US territories and states	FAA Reg. Part 77	
Federal Energy Administration	Energy Permit	Filing identification report for power plants	All States and Territories	FR Vol. 40, 91 May 9, 1981	
US Coast Guard	Bridge and Causeway Permit	Any construction which crosses navigable waters including causeways, piers and approaches	US States and Territories		2 Months
Federal Consistency Determination		Any activity which requires a Federal permit or license, which uses Federal funds, or which is undertaken directly by a Federal agency.	All lands and waters in the State except State forest reserves owned and controlled by the Federal government.	PL 92-583	

SUMMARY OF MAJOR FEDERAL, STATE AND COUNTY PERMITS AND APPROVALS

Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
STATE					
Public Utilities Commission (Department of Budget and Finance)	Certificate of Public Convenience and Necessity	Required for the operation of a public utility	Statewide	HRS 269-7.5	
	Approval	Capital expenditure over \$500,000	Statewide		
Hawaii Community Development Authority (HCDA) (Department of Business and Economic Development)	Kakaako Community Development Permit	Any development of land or new use of property in a designated community development district	Kakaako Community Development District, Oahu	HRS 206E HRS 206E-6	
Department of Health (DOH)	Permit to Construct an Air Pollution Source	Constructing or installing a new air pollution source or modify an existing source	Statewide	HRS 43	270 days
	Permit to Operate an Air Pollution Source	Operating a new potential air pollution source or modify an existing source	Statewide	HRS 31	90 days
	Noise Permit		Statewide	HRS 44	30 days
	Drinking Water Approval	Developing or modifying a water distribution system or beginning use of such a system as a source of potable water	Statewide		

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Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
Department of Health (DOH)	National Pollutant Discharge Elimination System (NPDES)	Discharge any pollutant, altering the quality of any discharge, increasing the quantity of discharge.	Surface streams and coastal waters of the State	33 USC 1344, HRS 342D, part three	
	Zone of Mixing Permit	Discharge liquid waste that would violate any water quality standard established for receiving waters	Statewide	33 USC 1344, HRS 342D	180 days
	Permit to Construct private Wastewater Treatment Works	Construct wastewater treatment facility designed to receive no more than 800 gallons of domestic liquid waste per day	Unsewered land areas throughout the Statewide		
	Permit to Operate Private Wastewater Treatment Works	Treat liquid waste and discharge effluent to groundwaters.	Land areas throughout the State		
Office of Environmental Quality Control (OEQC) (Department of Health)	State Environmental Impact Statement	Development projects or activities which use State or County funds or amendments to county general plans, which may have a significant effect on the environment.	State or County lands, lands within the State Conservation District, shoreline setback area, Waikiki-Diamond Head area, lands within registered historic sites.	HRS 243	
Board of Land and Natural Resources (BLNR); Department of Land and Natural Resources (DLNR)	Conservation District Use Application (CDUA)	Any use of conservation lands.	Land designated conservation by the State, including submerged lands.	HRS 183 Regulation No. 4	180 days

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Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
Board of Land and Natural Resources (BLNR)	Geothermal resource subzone designation	The Board authorizes and withdraws designations for geothermal resource subzones	Statewide	HRS 182-18	
Department of Land and Natural Resources (DLNR)	State Land Approval	Any activity.	State-owned lands throughout the State, submerged lands.		
	Geothermal Drilling Permit	Drilling, modifying, modifying the use of, or abandoning the wells drilled, to explore for or develop geothermal resources.	Statewide	HRS 182	
Historic Preservation Division (DLNR)	Historic Site Review	All activities undertaken, funded, or permitted by the State or a County in the vicinity of a designated historic place or archaeological site.	All parcels listed on the Hawaii Register of Historic Places	HRS 6E	
Department of Transportation (DOT), Airports Division	Permit to Change Land Use, Construct or Alter Airports	Change land use, construct or alter a structure having a height greater than 35 ft,	Within established hazard areas in close proximity to airports	HRS 262	120 days
DOT, Harbors Division	Permits for Work in Ocean Waters of the State	Any dredging, filling or erecting any structures.	Within the shores, shorewaters, navigable streams, and harbors of the State.	HRS 266	90 days

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Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
Department of Transportation (DOT)	Lease within an Energy Corridor	Maximizing the utilization of lands available for use in connection with transporting by pipeline or other means, sources of energy	DOT Energy Corridor	HRS 277-1	180 days
DOT, Highways Division	To perform work on a State Highway	Routine, new, and major construction which requires work on a State Highway	State Highways	HRS 264-6	30 days
Land Use Commission (LUC) Department of Business and Economic Development (DBED)	Land Use District Boundary Amendments	Proposed changes in land use on parcels of more than 15 acres in size	Statewide	HRS 205	
LUC	Special Use Permit	Non-conforming uses of lands designated rural or agricultural by the State	Rural or Agricultural Lands Statewide	HRS 205	
Office of State Planning (OSP)	Clearing House Review	State Clearing House for federally funded projects	Statewide	HRS 205A	
Hawaii Coastal Zone Management Program (OSP)	Federal Consistency Review	Any activity which requires a Federal permit or license, which uses Federal funds, or which is undertaken directly by a Federal agency.	All lands and waters in the State except State forest reserves owned and controlled by the Federal government.	HRS 205A	

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Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
COUNTY					
County Central Coordinating Agency (CCA)*	Shoreline Setback Variance	Construction or subdivision activities.	A shoreline area where development is generally prohibited except by variance, extending inland from the shoreline 20-40 feet or more.	HRS 205A	
	Special Management Area (SMA) Permit	Any activity classified as development that has a value of \$65,000 or more, or which will have a significant environmental or ecological effect.	Shoreline areas designated by County governments for special management	HRS 205A	30-150 days
CCA	Use Permit	assure proper integration into community of uses which may not be suitable	Statewide	Varies by County Ordinance	
	Subdivision Permit		Statewide	HRS Chapter 9, varies by County Ordinance	180 to 400 days
	Flood hazard Controls	Any development	Flood hazard zones designated on Flood Insurance Rate Maps prepared by the National Flood Insurance Program.		
	Grading, Grubbing, Excavating, and Stockpiling Permits	Any excavation or fill, the removal or vegetaion from the surface of the ground, or the purposeful accumulation and set-aside of loose soil.	Statewide	varies by County Ordinance	7 days

SUMMARY OF MAJOR FEDERAL, STATE AND COUNTY PERMITS AND APPROVALS

Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
County Central Coordinating Agency (CCA)	Building Permit	Erecting, constructing, enlarging, demolishing, or altering any building or structure.	Statewide	varies by County Ordinance	30 days
	Sewer Permit	Connect or reconnect to, or disconnect from any line or a municipal sewer system.	Statewide	varies by County Ordinance	
	County Development Authority	Counties can develop alternative energy resources in joint ventures with public utilities	Statewide	HRS 46-19	
	State Landuse District Boundry Amendment (less than 15 acres)	Any department or agency of the state or county, or any person with a property interest in the land sought to be reclassified, may petition the county for a change in the State Land Use District classification for parcels less than 15 acres in the Ag or Urban district.	Statewide	HRS 205, HRS 91 varies by County Ordinance	285 days
	Development Plan Amendment	land use change to the Development Plan, may require an EIS	Statewide	HRS 91, HRS 343, varies by County Ordinance	120 days, prior to Jan.15

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Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
CCA	General Plan Amendment	proposal to amend the General Plan requires a public hearing	Statewide	Chapter 91, HRS, varies by County Ordinance	265 days
	Zoning Change	any use is proposed for land within a zoning district where the use is not permitted requires a public hearing	Statewide	Chapter 4b, HRS	310 days
City and County of Honolulu, Department of Land Utilization	Zoning Waivers	zoning waivers for public utilities, public uses, and walls no public hearing required	City and County of Honolulu	HRS 46, Revised City Charter, 1973, Chapter 21A, Land Use Ordinance	90 days
Building Board of Appeals (City and County of Honolulu)	Appeals and Petitions	Applications relating to building, electrical, plumbing, and fire codes.	City and County of Honolulu		
Hawaii, and Maui County Planning Commission	Variances and Special Exemptions	Uses permitted as defined by zoning ordinances	Hawaii, and Maui Counties		
Kauai County Planning Commission	Variances and legal regulations, having the force of law	Uses permitted as defined by zoning ordinances	Kauai County		

SUMMARY OF MAJOR FEDERAL, STATE AND COUNTY PERMITS AND APPROVALS

	Certificate of Occupancy	required for the use or occupancy of all buildings or structures	City and County of Honolulu	Revised Ordinances of Honolulu, Chapter 16, Building Code	
-Regulatory Agency	Name of Permit	Applicable Activities	Applicable Areas	Statutory Authority	Estimated time to Process
City and County of Honolulu, Honolulu Fire Department	Combustible and Flammable Liquids Tank Installation	permit to install, store, handle, replace, or use any single tank or container of combustible or flammable liquid capacity more than 60 gallons	City and County of Honolulu	HRS 132, Revised ordinances of Honolulu, Chapter 19A	10 days
City and County of Honolulu, Honolulu Fire Department	Liquefied Petroleum Gases	installation and use, where a single container or the aggregate is 125 gallons water capacity	City and County of Honolulu	HRS 132	
City and County of Honolulu, Department of Public Works, Engineering Division	Discharge of Waters Permit	to discharge waters other than storm runoff, dewatering discharge, ground water, etc., onto public right-of-way and/or into storm drainage systems	City and County of Honolulu		
City and County of Honolulu, Department of Public Works Division of Wastewater Management	Industrial Wastewater Discharge Certificate	discharge industrial wastewater into sewer system	City and County of Honolulu	Revised Ordinances of Honolulu, Chapter 11, Sewers	
Kauai Board of Water Supply	Waste Disposal Permit		Kauai County		